
A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor and sometimes persons, who are not poor, cannot afford adequate legal assistance and should therefore devote professional time and civic influence on their behalf. -- Preamble to the Indiana Rules of Professional Conduct

JUSTICE SHALL BE administered freely, and without purchase; completely, and without denial; speedily, and without delay. -- Indiana Constitution Art. 1 Sec.12

I will never reject, from any consideration personal to myself, the cause of the defenseless or the oppressed; so help me God. -- State of Indiana Oath of Attorneys

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Indiana Pro Bono Commission

Annual Report 2002

Summary:

In 2002, the Indiana Pro Bono Commission celebrated many accomplishments. The Commission established a baseline for measuring pro bono activity. Approximately 20% of the active bar participated in volunteer efforts and engaged in more than 6,000 pro bono cases. In addition, the number of people working towards developing pro bono resources and programs in the Districts increased. The Indiana State Bar Association formally joined the effort under the leadership of president Kristen Fruehwald¹, and nearly all of the fourteen pro bono Districts hired a plan administrator to assist the efforts of judicial appointees. The pro bono movement in Indiana is more efficient and organized than ever before.

History:

The spirit of volunteerism is an integral part of our human culture. St. Francis of Assisi illustrated a religious conviction with the words, "It's in giving oneself that one receives." Theodore Roosevelt galvanized a country with his quip, "This country will not be a good place for any of us to live in unless we make it a good place for all of us to live in." Tom Brokaw influenced popular culture with his words, "It's easy to make a buck. It's a lot tougher to make a difference."²

Organized efforts of volunteerism and pro bono programs have existed in the United States for over a century. Indeed, American jurisprudence developed and grew out of

¹ This effort continues under the leadership of 2003 Indiana State Bar Association President, Jim Bourne.

the pro bono and civic minded activities of its members. Similarly, Indiana lawyers have a long-standing tradition of doing pro bono work on a quiet and informal basis. This loosely organized, informal movement was fostered in the early 1990's by a pro bono network consisting of panels recruited by Legal Services Corporation grantees, Legal Aid Societies, a few corporate-based pro bono groups and law school clinics.

However, the Indiana Supreme Court decided in the mid-1990s to more fully energize the pro bono movement and fund it with lawyer trust account revenues generated by an IOLTA program operated by the Indiana Bar Foundation. As outlined by Indiana Professional Conduct Rule 6.5³, the main organizing force for this movement is the Indiana Pro Bono Commission, which had been led these past three years by the Hon. L. Mark Bailey of the Indiana Court of Appeals and is now directed by attorney, J. Philip Burt, of Fort Wayne's Burt, Blee, Dixon, Sutton and Bloom. Mr. Burt will serve a three (3) year term ending in 2005.

The 21-member commission has 11 appointees named by the Supreme Court, which picks the chair, and 10 appointees, named by the Indiana Bar Foundation.⁴ The Commission's main function is to review and approve grants that will fund local pro bono programs. To make sure that funding goes to solve local problems, Rule 6.5 specifies that the Indiana Supreme Court will appoint a trial judge in each of Indiana's 14 longstanding judicial Districts.⁵ The trial judge's duty is to organize a committee to develop a local plan and a budget that are designed to improve pro bono services at the local level. The Commission then views the plan and budget and recommends funding levels based on established criteria⁶. The funding recommendations for the 14 Districts are then forwarded to the Indiana Bar Foundation for final approval.

Indiana's judge-led, grassroots driven, and IOLTA-funded pro bono system is unique in the United States. The Commission has welcomed inquiries from the Courts and other

² Quotes found: www.volunteerfresno.org/beta/links

³ www.in.gov/judiciary/rules/prof_conduct/index.htm

⁴ See appendix A for a list of Commission Members.

⁵ See appendix B for a list of the judicial appointees.

legal service providers in New York, New Hampshire, Wisconsin, the United Kingdom, and Ontario. Of particular import, revisions to the Maryland pro bono rules took place in July of 2002 and were based in part on the Indiana model.

Progress of the Indiana Pro Bono Commission:

The 2002 calendar year marked the first year of a formal coordinated effort between the Indiana State Bar Association (the Association), the Indiana Bar Foundation (the Foundation) and the Indiana Pro Bono Commission (the Commission). The coordinated effort brings together the three critical legal organizations to jointly promote pro bono publico in Indiana under the auspices of the Indiana Supreme Court. Unlike other states where competing interests can deter the outcome of statewide pro bono initiatives, the Association, the Foundation, and the Commission work together to foster equal access to justice. The success of this coordinated effort rests with the grassroots structure of Indiana's program. The Association, the Foundation and the Commission assist the efforts of District judges and District committees to implement local driven plans that respond to local needs. The coordinated effort has developed several collaborative projects that otherwise might not have come to fruition under a different structural model. Two unique programs that demonstrate this collaboration are: the "PAPA" (Parent Attorneys Practicing Advocacy)⁷ and "Talk To a Lawyer Today"⁸ programs.

As described in the introduction, the main focus of the Commission is to grant monies to the Districts to foster their pro bono grassroots efforts. In its first year of grant making (2001), the Commission recommended \$300,000 in grants. For calendar year 2002, the Commission recommended \$600,000 in grants. Due to a reduction in national interest rates, the Commission recommended to the Foundation \$405,000 in grants for the Districts that will be distributed in early 2003. The Commission has funded a total of \$1,300,000 over the past three years (2001-2003).

⁶ See appendix C to view the pro bono grant criteria.

⁷ This program is the first of its kind to reach out and offer pro bono projects to the segment of the legal profession transitioning between parenthood and the law.

The Commission's administrative expenses and grants are funded by IOLTA revenues and a cash contribution of \$20,000 from the Association that supports the salary of the Commission's part-time executive director, Jennifer Theresa Cloyd Konomos. Ms. Konomos also has other duties that support the Association's pro bono mission. The Commission also receives in-kind office space and support services from the Association.

The Commission, through the work of Ms. Konomos, provides many services to the Districts. Of significant import is the management of the Commission web site.⁹ The web site provides information and data to three general groups: the public (mainly information about legal service providers in Indiana), Indiana attorneys (mainly information about pro bono opportunities in the state) and commission members (mainly information for plan administrators, judicial appointees and commission appointees to assist with the recruitment and recognition of volunteer attorneys). District annual reports are available on the web site. Plan administrators and judicial appointees can access commission forms in both Word and PDF formats. CLE training opportunities are also published on-line.

In addition to the web site, the Commission assists the Districts by sponsoring CLE and recognition events. The Commission has assisted with more than eighteen (18) of these events in 2002. In January 2002 and October 2002, the Commission through the generous support of the Association, sponsored retreats for the Plan Administrators of Indiana at French Lick Springs for the annual meeting of the Association. The January event centered on a presentation by the ABA called "The Nuts and Bolts of a Pro Bono Program". The second event included both seminar presentations and statewide planning sessions, where District representatives exchanged information and finalized programs that coordinate efforts of two or more Districts. The Commission also sponsored a judicial open house held at the state judicial conference this fall in Fort Wayne, Indiana for the judicial appointees of each of the fourteen pro bono Districts.

⁸ This project blended the resources of the Association, Commission and 8 other organizations to offer a time where the general public could talk to a lawyer free of charge.

Finally the Commission assists the Districts by marketing the pro bono movement via print, video, and the Internet. The Commission sponsored a magazine insert in the May edition of the *Indiana Lawyer*. Nearly nine thousand (9,000) copies were delivered to members of the Indiana bar and other persons of interest. The magazine highlighted the coordinated efforts of bar associations, legal service providers, and private practitioners across the state to promote and support pro bono opportunities for lawyers. The partnership with the Association also provided a vehicle to spotlight pro bono activities through both its *Res Gestae* magazine and its web site. The Commission produced a promotional video called “Indiana Attorneys: Bridging the Gap to Justice”. The video has been approved by the CLE Commission for ethics credits and has been played at more than 20 events. Finally, the Commission created an on-line pro bono pledge. An Indiana attorney can fill out the pledge form on-line and automatically the information is transferred to the Commission and then disseminated to the appropriate District judge or plan administrator.¹⁰ Approximately 30 lawyers used this service in 2002.

The Commission continued to meet on a quarterly basis in addition to regional and subcommittee meetings. The Commission met on February 27th, May 7th, September 17th and November 19th, 2002 at the Indianapolis office of the Association.

The three working subcommittees of the Commission were busy in 2002. The Marketing and Publicity subcommittee chaired by appointee, Glenda Russell, was responsible for the development of a marketing plan and the creation of the Commission logo¹¹. The Commission logo joins an element from the logos of each of the three partners to the Commission: the Indiana Supreme Court, the Indiana Bar Foundation and the Indiana State Bar Association. Finally the subcommittee established an annual celebration event, the Shepard dinner. The event was named after the Chief Justice to honor his statewide vision. The Shepard dinner was held at the French Lick Springs Resort on October 3, 2002 in conjunction with the Association’s annual meeting. There were approximately 100 judges, lawyers, and other pro bono supporters in attendance. The evening started

⁹ www.in.gov/judiciary/probono/

¹⁰ See appendix D for a copy of the attorney on-line pledge

with a reception hour hosted by the Chief Justice. The attendees gathered for dinner and screened the subcommittee's first video, "Indiana Attorneys: Bridging the Gap to Justice".¹² The sub committee attracted a national keynote speaker to the event. Doreen Dodson, past president of the Missouri Bar, member of the American Bar Association Steering Committee and the Center for Pro Bono, who called Indiana a leader in the pro bono movement and pointed to its judicial involvement and District grassroots structure. The subcommittee also announced the creation of a state award for excellence in pro bono, the Shepard Award. Recipients each year will receive a commendation as well as an engraved mantel clock. Qualifications for the award are based upon demonstrated dedication to the innovative development and delivery of legal services to the poor in one of the fourteen pro bono Districts of Indiana.¹³

The Administrative subcommittee of the Commission led by appointee, Peggy Idelwine, established new streamlined forms and procedures for the Districts to use in drafting annual report and plans.¹⁴ The committee will continue to revise and study the process and improve communication across the state.

The Recognition and Training subcommittee led by Judges Taliaferro and Bailey was quite active in 2002. The Committee established the Equal Justice Award that will fund seven (7) scholarships for attorneys or other interested parties to attend the ABA/NLADA Equal Justice Conference. The reasoning for the award is to promote the pro bono culture in Indiana by sending seven interested members of the bar each year to attend this gathering and return to their Indiana Districts energized by the good programs from around the country. The committee hopes this pro bono energy and zest will transfer from colleague to colleague. Winners of the award will be announced each spring. In addition to this project, the committee established Commission teams made up of Commission members who will travel to each of the fourteen Districts to assist the

¹¹ See appendix E for a copy of the new Commission logo.

¹² To view the video please visit the following web site: <http://www.in.gov/judiciary/probono/video.html>

¹³ The Honorable L. Mark Bailey was given the 2002 Shepard award. He was the first chair of the Indiana Pro Bono Commission and led the 21-member board to create a structure that would embrace the Chief Justice's pro bono vision.

recruitment and recognition efforts of each judicial appointee and his or her pro bono committee.

Progress of the District Committees:

The District structure is progressing nicely. During 2002, about half of the Districts have hired paid full-time or part-time plan administrators who oversee each District's day-to-day operations. In the remaining Districts, the trial judge and his or her staff, along with volunteer help from the committee members, serve as the local plan administrator. The plan administrator function has taken several forms. Two southern Indiana Districts pooled their resources and hired a plan administrator who works for both Districts (Districts 12 and 14). Two other Districts are considering a union (Districts 5 and 6). One District contracted with a local domestic abuse counseling operation to serve as the plan administrator (District 7) while another contracted with a Legal Aid Society (District 11). In central Indiana (District 8), the District pays the plan administrator, but Indiana Legal Services Inc (ILS) provides office space and certain fringe benefits. Four Districts of Indiana (Districts 1 and 2 and 3 and 13) have independent pro bono plan administrators who coordinate with local bar association as well as the local Legal Services Corporation grantee. One District (District 10) is contemplating an agreement with Indiana University Law School to partially support the hiring of a plan administrator.

Modeling the grassroots structure of the Indiana pro bono program the District report and plans are quite varied and formed by the resources and needs in that District. Some Districts have close connections with Indiana Legal Services Corporations while others stand independent yet work in conjunction with traditional legal service providers, local bar associations and/or law schools.

What follows are exact excerpts from the 2002 annual report and plans.¹⁵

¹⁴ Earl Singleton, John Floreancig and Joanne Orr round out the subcommittee. Advisors to the committee are: Chuck Dunlap, Judge Phil Adler, and Plan Administrator, Sherry Clarke.

District 1 Progress Report for 2002:

(Lake, Porter, LaPorte, Jewton, Jasper, Pulaski, and Starke Counties)

To date the Committee has increased the number of volunteer attorneys who have accepted cases from 45 to 145 in Lake County alone and assumed responsibility for referral of pro bono cases in Lake, Porter, LaPorte, Newton, Jasper, Pulaski, & Starke. Judges David Matsey, Starke Circuit Court, and J. Phillip McGraw, Jasper Circuit Court have joined four bar associations and the civil judges of Lake County in adopting resolutions urging lawyers to contribute at least 50 hours per year in pro bono services to low-income persons. We implemented a Quality Assurance Plan, conducted two public information seminars about bankruptcy and predatory lending collaborating with two community centers, Hammond Human Relations Council and Bank Calumet, developed an informational brochure for clients and assisted in translating information on predatory lending into Spanish.

District 2 Progress Report for 2002:

(St. Joseph, Elkhart, Marshall, and Kosciuski Counties)

During the last year, the number of cases referred to pro bono attorneys in District 2 grew by over 50%. Increasing numbers of private attorneys volunteered to assist low-income persons in their communities, as the need became known. A coordinated referral system was developed and more applicants for free legal assistance were given advice and resource information.

District 3 Progress Report for 2002:

(LaGrange, Steuben, Noble, Dekaulb, Whitley, Allen, Huntington, Wells, and Adams Counties)

The District 3 Pro Bono Committee did not receive funding for 2002. The committee has a balance of approximately \$14,000.00 from the 2001 grant. \$3,000.00 of the balance is dedicated for the funding of the 2002 VLP Recognition Luncheon to be held in the Fall,

¹⁵ See appendix F for a copy of the Indiana Pro Bono District Map.

2002. The remainder of the balance will be transferred to VLP of Northeastern Indiana, Inc. to underwrite the operation of the volunteer lawyer program. The volunteer lawyer program constitutes the major component of the civil pro bono legal representation in District 3. The development of the volunteer lawyer program is essential to increasing the number of hours of pro bono legal services in light of probable funding cuts to the legal service organizations.

District 4 Progress Report for 2002:

(Benton, White, Carroll, Warren, Fountain, Tippecanoe, Clinton, and Montgomery Counties)

District 4 was well on its way toward implementing its 2002 plan; the committee was moving toward hiring a paralegal, a survey of the attorneys in the District was ready to mail, and plans were moving forward to hold a CLE to encourage attorneys to join the District Pro Bono Panel. However, with the death of the District Chair, all plans were put in a long-term holding pattern. Since he was to be involved with the hiring of the Paralegal, that position is presently unfilled and additional financial problems have since arisen that may prevent the paralegal position from becoming a full-time position as originally planned. The survey was not sent, as all the correspondence was under the Judge's signature. However, an excellent CLE program was held. Attendance was very good and resulted in several new attorneys joining the District Pro Bono Panel. Cases have continued to be screened and placed. The ILS Pro Bono Coordinator has revised the Lafayette Office's intake and screening procedures to more fully utilize the available pro bono resources and provide clients with as broad a range of services as possible and has become increasingly aggressive in placing cases with pro bono attorneys.

District 5 Progress Report for 2002:

(Fulton, Cass, Wabash, Miami, Howard, and Tipton Counties)

District Five is in a catch-up mode regarding its 2001-2002 plan. The statewide merger of Legal Services found the District with no entity able/willing to accept its funding.

The funding for both 2001 and 2002 were finally released in March 2002. As such, other than maintaining a basic level of intake and referral, the other aspects of the plan were necessarily put on hold until the monies were released. Since then, the committee has printed and distributed 2,000 "Parenting Time Guidelines" and is planning its client educational programs. Eight new attorneys were recruited at a District-wide CLE late last year. With only maintenance of effort last year (2001), eleven (11) cases were placed with pro bono attorneys. That figure has nearly been reached in the first half of 2002 alone, and is expected to significantly increase in the second half of the year.

District 6 Progress Report for 2002:

(Grant, Blackford, Jay, Delaware, Madison, Randolph, and Henry Counties)

The Sixth District Pro Bono Committee recognized legal needs of citizens not having the means to access justice exceeded the supply of service providers. We believe the first step necessary to increase legal service providers is to employ a plan administrator to energize our District's bar associations and attorneys to recognize and meet their ethical obligations.

The committee has been deliberate in employing a plan administrator knowing that just any applicant would not do. We are increasing efforts to fill this vital position.

The committee also recognized that IOLTA funding should not be the only source of revenue assisting the District 6 Access to Justice, inc. was formed and application is pending with the IRS to obtain 501(c)(3) exemption status. This will greatly assist fund raising and enable us to provide more comprehensive services.

With the anticipated addition of new committee members, the committee believes that our initiative will be successful.

The District Six Committee believes that we must provide people pro se information and forms to allow them to represent themselves in post-decree custody, parenting time and

support modification hearing. Thus, we propose the following (1) a kiosk in each county to be used to print pro se forms from the Equal Justice Center website: and (2) clinics conducted by pro bono attorneys, ILS Staff or both to teach people how to fill pro se post-decree modifications. This proposal is not a relinquishment of our commitment to pro bono services. However pro se presentation is reality and we must take steps to ensure that when people try to represent themselves they do it properly.

District 7 Progress Report for 2002:

(Vermillion, Parke, Putnam, Vigo, Clay, and Sullivan Counties)

The District 7 Pro Bono Committee was formed in the summer of 1999 and approximately one year later was formed into the District 7 Pro Bono Corporation wherein officers were elected, bylaws established and regular meetings conducted. A centralized main Pro Bono office was located in the Vigo County Courthouse with Satellite offices located in each county comprising District 7. The office is staffed with trained personnel who conduct all intake, screening, and assignment of cases. A computer has been secured and a database established which keeps up to date statistics as well as a roster of willing participating attorneys.

Brochures for both potential clients and attorneys were created, as well as posters which have been displayed throughout the District, announcing the availability of pro bono services, listing an 800 and local Terre Haute number for contacting the District 7 Pro Bono Corporation. In the spring of 2002, a Family Law Pro Bono Seminar was held in Terre Haute, Indiana wherein 33 lawyers attended. Six free CLE credits were given to each attending attorney as well as a family law manual including booklets containing relevant daily law statutes and other pertinent information. Those attending the seminar agreed to take two family law pro bono cases within the next 12 months.

To date there are 72 participating attorneys within District 7 and 160 cases have been assigned.

District 8 Progress Report for 2002:

(Boone, Hamilton, Marion, Hendricks, Hancock, Morgan, Johnson, and Shelby Counties)

Representing the largest constituency for pro bono services in the state, Heartland assists and coordinates services with six major legal service providers and eight bar associations. One of Heartland's primary missions is to recruit and train attorneys to represent clients of limited means. In November 2001, Heartland co-sponsored a reception at the I.U. School of Law featuring Chief Justice Randall Shepard that was attended by over 175 attorneys and judges. Heartland plans to continue this tradition with an annual event at the law school to recognize those who have contributed to the pro bono efforts in our District.

As part of its on-going efforts to recruit volunteers, Heartland has co-sponsored several training seminars with providers and bar associations offering free CLE credit to attorneys who volunteer to take pro bono cases. This has been an excellent way to attract new volunteers.

Providing support services to pro bono attorneys is another mission of Heartland. Free depositions, service of process, printing of training brochures, malpractice insurance, reimbursement of litigation expenses, and paralegal and law student support have enabled volunteer attorneys to have all the available resources they need to adequately represent their clients.

Heartland is working with the District's various county bar associations to assist in coordination and support of lawyer referral programs. Over half of the counties have active pro bono programs and are currently coordinating with Heartland to plan training seminars to assist with recruitment.

With the assistance of the Indiana State Bar Association and an attorney, originally in private practice, Heartland has developed a new program entitled Indiana Operation

Enduring Lamp, which provides pro bono legal services to reservists who have unique legal problems when they are activated into service duty. Heartland has participated in two different training programs to recruit attorney volunteers and to educate the reservists of the pro bono services available. Approximately 15 lawyers have volunteered to assist in this project.

Finally, Heartland is developing a toll free hotline for its eight-county District for potential clients to speak to an attorney for an initial intake and possible referral to a pro bono attorney. With Internet access, attorney volunteers will be able to speak to clients by telephone and complete the intake questions from the privacy and of their own office.

District 9 Progress Report 2002:¹⁶

(Wayne, Rush, Fayette, Union, and Franklin Counties)

District 10 Progress Report for 2002:

(Owen, Greene, Monroe, and Lawrence Counties)

Through its work over the last year the Committee is well positioned to carry forward lawyers' volunteer services. With direction from its administrator the Committee completed its survey of lawyers in the four counties to ascertain what pro bono work each has been doing, how the Committee could enhance those efforts and whether they would participate in the referral program. There has been a marked increase in the number of attorneys participating. Judges from the four counties made the first annual Pro Bono awards at the Quad County Bar Meeting to Karen Strueh (Greene County), Ray Robison (Lawrence County), Fred Gregory (Monroe County) and George Mathis (Owen County). These attorneys have provided hundreds of hours of free legal services to poor persons, children, the elderly and the non-profit agencies serving them and were properly recognized by their colleagues.

¹⁶ As of the date of this publication the Commission had not received a copy of this District's progress report.

District 11 Progress Report 2002:

(Brown, Bartholomew, Decatur, Jennings, and Jackson Counties)

BALA is running a very successful pro bono referral program. As the agency enters its twentieth year, the county bar associations, especially Bartholomew County's, can take a great deal of credit in making the program a success. Over 75% of eligible attorneys in District 11 are on the BALA pro bono panel. In FY 2002, these attorneys took 368 cases and donated almost \$200,000 in legal services.

BALA's long-term presence has allowed the agency to develop a very diverse funding source. BALA receives operating funds from United Way of Bartholomew County, Indiana Criminal Justice Institute, Indiana Fathers and Families Program, Community Legal Aid Fund, Irwin-Sweeney-Miller Foundation, and the Cummins Engine Foundation as well as the IOLTA program. BALA works collaboratively with area social service providers and has established a close working relationship with Turning Point, the District's primary domestic violence victims services program. Also, BALA has established formal relationships with the Caring Parents Program, Early Intervention Planning Team, and a local neighborhood family center.

District 12 Progress Report 2002:

(Ripley, Dearborn, Ohio, Jefferson, and Switzerland Counties)

Primarily due to the generosity of the Indiana Bar Foundation, Legal Volunteers of Judicial District 12 has created a volunteer referral program strong and growing. Work will continue throughout 2002 to establish the program in our communities. We have an identity "Legal Volunteers" and a defined mission "to volunteer legal time and talents assuring the poor, elderly and disabled representation within our legal system." The creation of two brochures for use in recruitment of legal volunteers and to inform our public about our service will be a natural basis for program growth. Visibility and

availability are important to program accountability. A firm foundation has been established, however, much work remains.

District 13 Progress Report 2002:

(Knox, Davies, Martin, Gibson, Pike, Dubois, Posey, Vanderburgh, Warrick, Spencer, and Perry Counties)

The Volunteer Lawyer Program serves eleven counties in southern Indiana including Daviess, Dubois, Gibson, Knox, Martin, Perry, Pike, Posey, Spencer, Vanderburgh and Warrick. Applications are made by contacting the Legal Aid Society of Evansville, Inc., in Vanderburgh County or the Indiana Legal Services, Inc., for all other service counties. Applicants must meet income eligibility and case type requirements.

The goal of the Volunteer Lawyer Program is to match low-income individuals and organizations serving low-income clients with attorneys volunteering direct services. Attorneys in all eleven counties are showing support for the new program by enrolling to volunteer for cases and to provide services such as volunteer mediation and training for attorneys. To date, over 230 attorneys are enrolled to participate. Efforts continue to recruit volunteers. In addition to direct representation, the VLP is developing programs to address the demand for services such as pro se information and ask-a-lawyer projects.

District 14 Progress Report 2002:

(Orange, Washington, Scott, Clark, Crawford, Harrison, and Floyd Counties)

Primarily due to the generosity of the Indiana Bar Foundation, Legal Volunteers of Judicial District 14 has created a volunteer referral program strong and growing. Based on the preexisting program founded by the Floyd and Clark Bar Associations, the program has established itself in our community of clients and volunteers with an identity “Legal Volunteers” and a defined mission “to volunteer legal time and talents assuring the poor, elderly and disabled representation within our legal system.” The creation of two brochures for use in recruitment of legal volunteers and to inform our public about our service will be a natural basis for program growth. Visibility and availability are

important to program accountability. A firm foundation has been established, however, much work remains.

Analysis of the Statewide Data:

Given the Commission's fairly short history, firm statistics have not been established. But this year's cycle of plans has produced some data about the number of volunteer lawyers and clients served. The numbers discussed below involve cases and attorneys closely associated with the District plan and are not designed to include figures from other, existing legal service providers. The system is designed to track only the volunteer efforts of the Indiana bar.

DISTRICT	NUMBER OF VOLUNTEER ATTORNEYS	NUMBER OF REGISTERED ATTORNEYS	% OF REGISTERED ATTORNEYS VOLUNTEERS	REPORTED PRO BONO CASES
District 1	148	1,472	10%	186
District 2	142	814	17.4%	188
District 3	269	1,015	26.5%	397
District 4	50	376	13.3%	1,412
District 5	32	222	14.4%	341
District 6	52	451	11.5%	636
District 7	72	248	29%	160
District 8	1,371	6,110	22.4%	855

District 9	26	131	20%	26
District 10 ¹⁷	Unavailable	455	Unavailable	Unavailable
District 11	112	158	70.9%	1,577
District 12	28	122	23%	52
District 13	341	660	51.7%	285
District 14	138	347	39.8%	220

State Totals

2002 VOLUNTEER ATTORNEYS	2,874
2002 INDIANA ATTORNEYS ¹⁸	12,581
2002 PRO BONO CASES	6,698

Much progress has been attained in the pro bono activities over the past twelve months. Of particular note, 2,874 attorneys out of a total of 12,581 (registered in state and in good standing), volunteered their skills and expertise to assist those who would have been otherwise unlikely to or unable to obtain legal counsel. Although improvement is likely to continue as we move forward, the data for 2002 emphasizes that approximately twenty (20%) of Indiana attorneys are participating in pro bono programs. This number does not take into account the many pro bono efforts of attorneys not reported or associated with a District pro bono plans. In addition 6,698 individual pro bono cases were reported in

¹⁷ As of the date of this publication the Commission had not received a copy of this District's statistics report.

¹⁸ The Clerk of the Supreme Court indicated by phone, January 2003 a total of 12,581 attorneys, registered in state and in good standing.

Indiana during 2002. These statistics simply emphasize the strides already accomplished and provide a starting point for continuing improvement in our pro bono movement.

In subsequent years the Commission will request the number of pro bono hours provided in each District to more fully reflect the efforts of volunteer attorneys. The Commission also plans to have an on-line reporting form that can be unitized by lawyers who take in a pro bono matter outside their pro bono District program.

District Plans for 2003:

The Districts propose exciting and creative goals for 2003. The plans in their entirety can be found on the Commission's web site.¹⁹ Emphasizing the goal of galvanizing the pro bono culture in Indiana, most Districts propose to allocate a portion of funds to recruitment and recognition events. Some Districts share a common goal to provide community training and emphasize self-help remedies to the public. The bulk of the Districts will target IOLTA funds to specific problems such as language barriers, revitalizing in-take procedures and coordinating District referral policies. One District pledges to double the attorneys on its volunteer panel and another will emphasize training non-family law lawyers to take family law cases.

Conclusion:

The outlook for the future of pro bono in Indiana is bright. Indiana's grassroots, judge led pro bono structure is changing the culture among the bar members of Indiana. Statistics show that well over twenty percent (20%) of Indiana's attorneys participated in pro bono activities associated with one of the fourteen pro bono Districts during the 2002 calendar year. This participation marks an improvement in the traditional pro bono model. More importantly, through the efforts of the pro bono committees in each District, the neediest members of our community are matched with lawyers who freely share their skills. Through continued efforts of the Indiana Pro Bono Commission, the Indiana State Bar Association and the Indiana Bar Foundation, greater and greater strides in providing justice will ensue.

¹⁹ <http://www.in.gov/judiciary/probono/>

Respectfully Submitted

This tenth day of February 2003

J. Philip Burt

Chair, Indiana Pro Bono Commission

J. Philip Burt

Jennifer Konomos

Executive Director, Indiana Pro Bono Commission

Jennifer Konomos

We cannot believe that the construction we have put upon this section will result in any practical hardship, or that the courts will have any difficulty in commanding the services of able and conscientious members of the bar, when such services are required for the protection of the poor and defenseless, whose rights or wrongs are the subjects of judicial inquiry in civil actions. The eager desire of young practitioners to take part in the exciting contests of the bar; the opportunity afforded to the ambitious to achieve reputation by a display of forensic talent; and the higher motives supplied by feelings of humanity and benevolence will, as we believe, in every case, secure a prompt response to the appointment of the court where the gratuitous services of an attorney are called for."

- Indiana Supreme Court, Bd. of Commissioners vs. Pollard, 153 Ind. 351 , 1899

